

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08cv367**

HIGH VOLTAGE BEVERAGES, LLC,)	
)	
Plaintiff,)	
)	
Vs.)	ORDER
)	
THE COCA-COLA COMPANY,)	
)	
Defendant and Counter)	
Claimant,)	
)	
Vs.)	
)	
HIGH VOLTAGE BEVERAGES, LLC,)	
)	
Counter Defendant.)	
)	

THIS MATTER is before the court on defendant's Motion to Compel Responses (#70), the plaintiff's Response (# 80) and Errata (#83), and the defendant's Reply. In the reply, defendant reports that plaintiff has now provided "more meaningful" discovery responses and withdraws the motion.¹

¹ The parties are advised that in order to withdraw a motion in the future, a pleading with a caption to that effect should be filed through ECF as the contents of responses are not typically reviewed by Deputy Clerks.

ORDER

IT IS, THEREFORE, ORDERED that the defendant's Motion to Compel Responses (#70) is **WITHDRAWN**.

Signed: May 11, 2009

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

